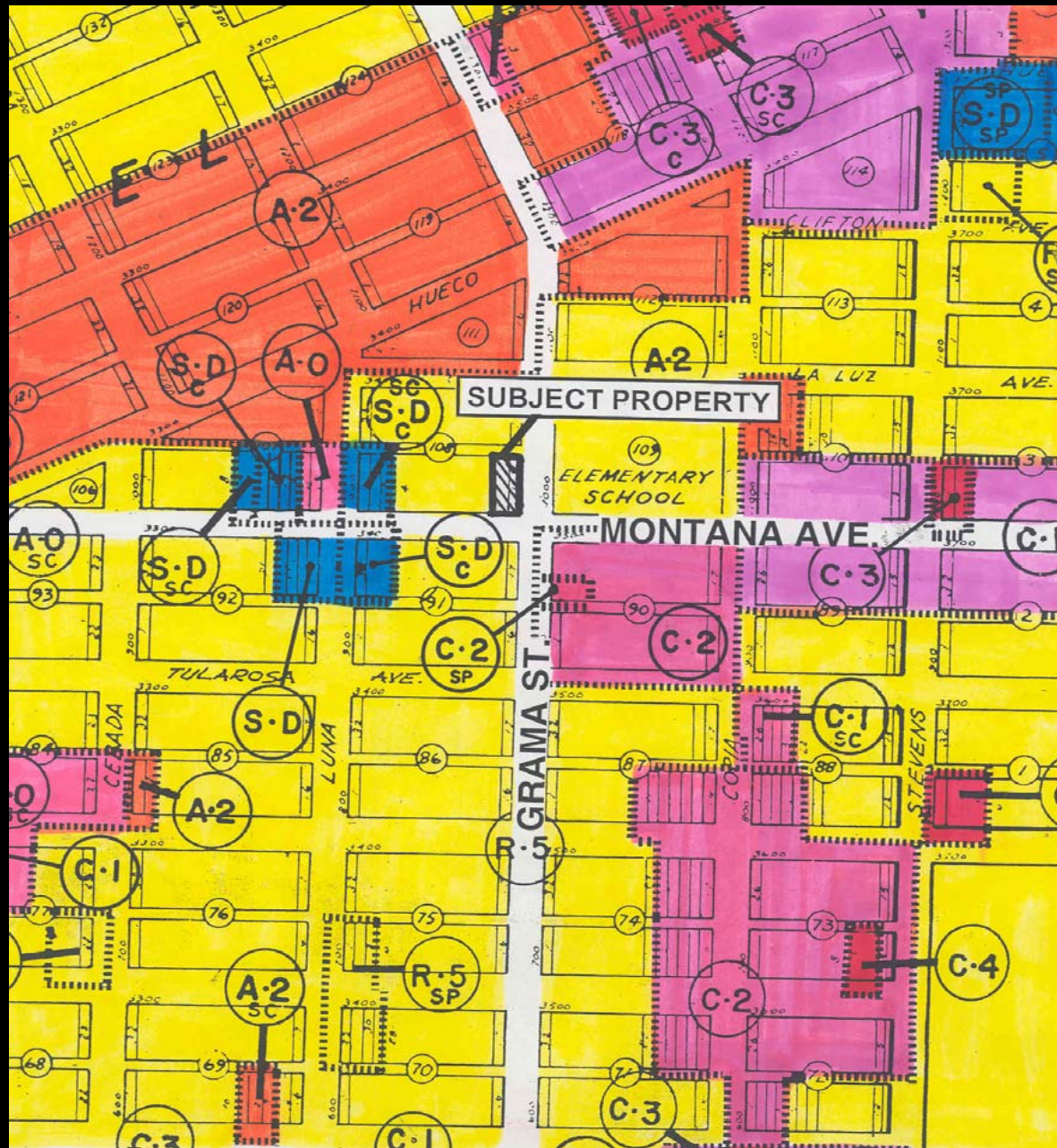
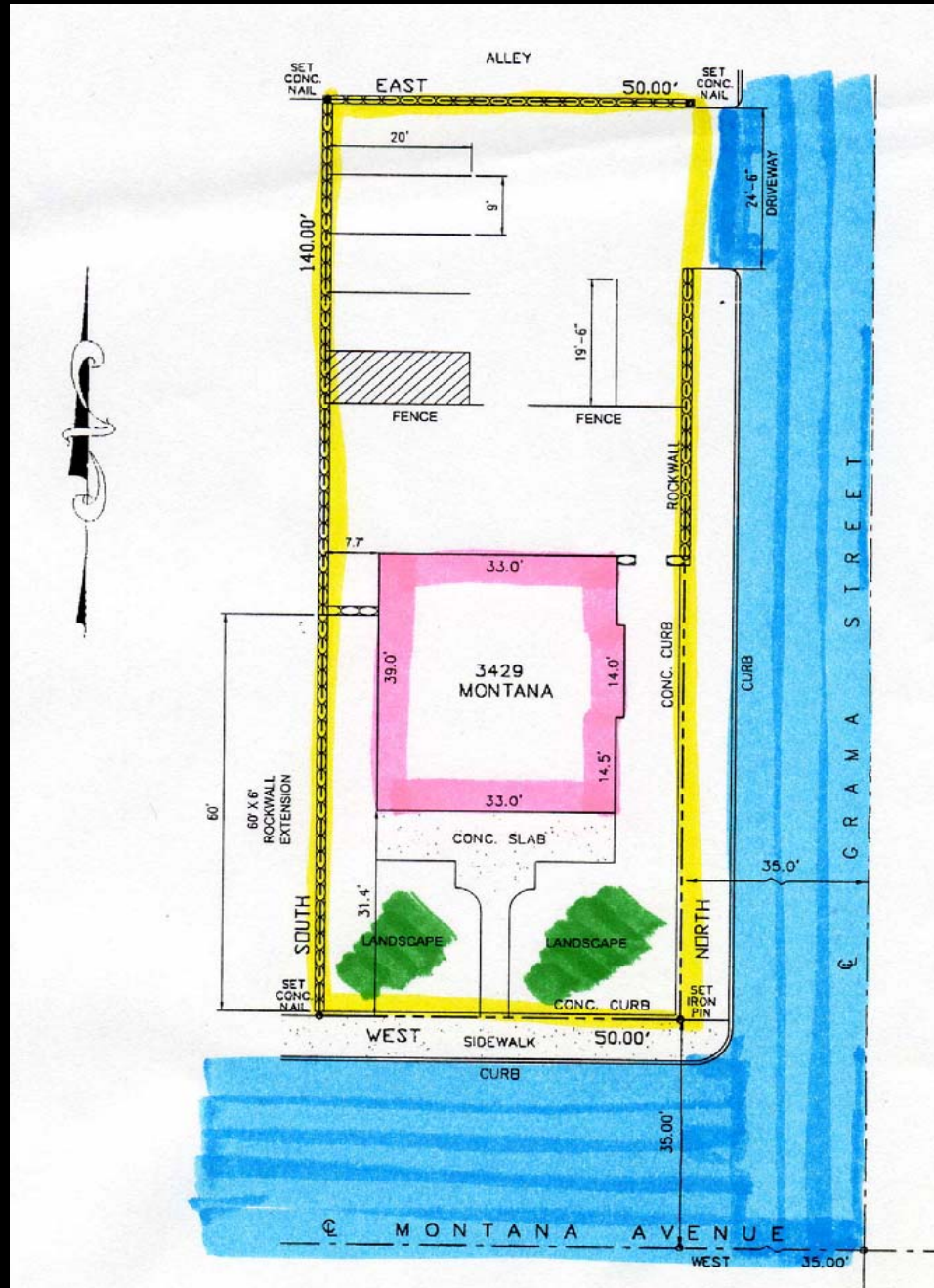


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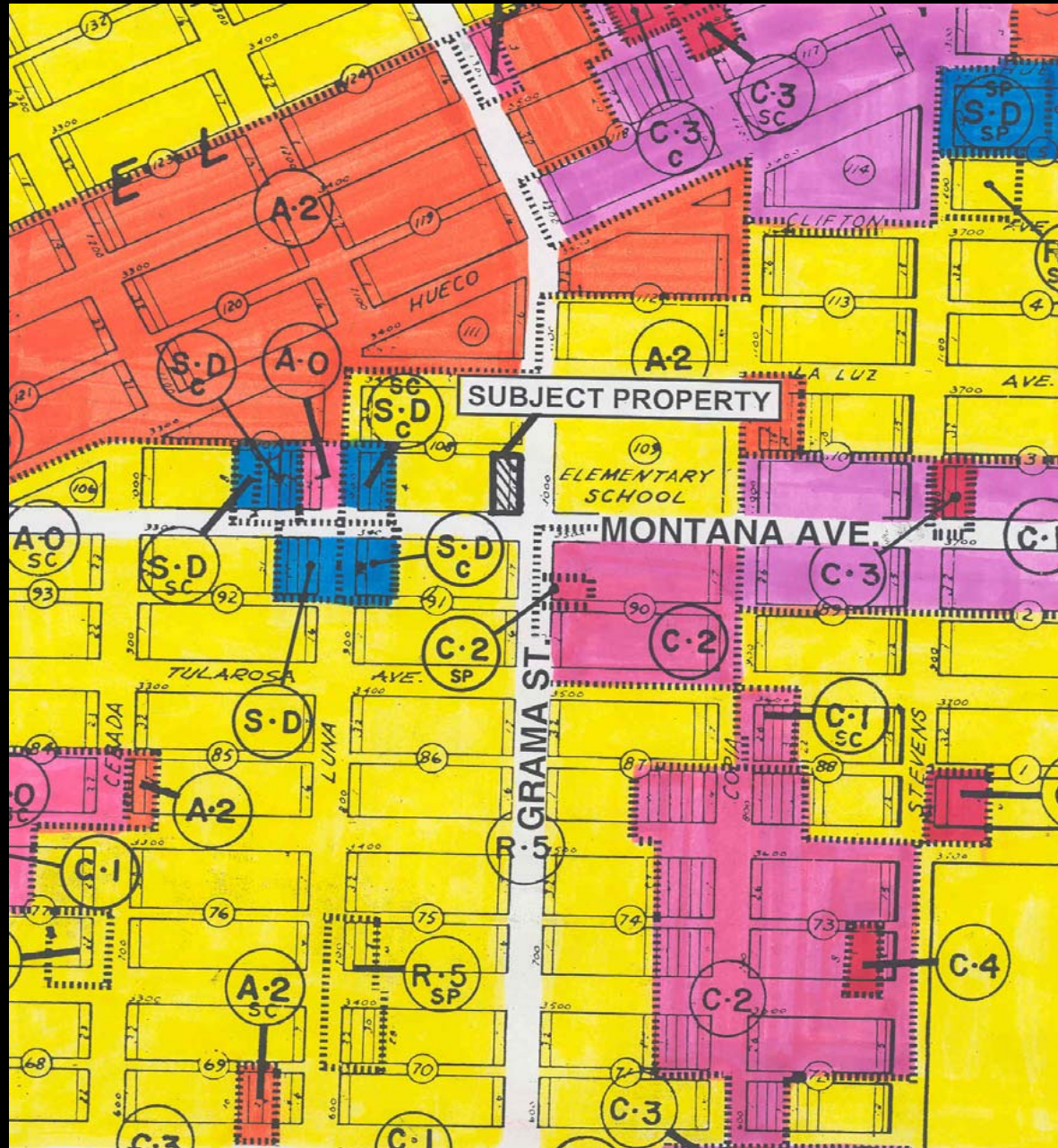
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ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON03-00085 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 15 & 16, BLOCK 108, EAST EL PASO ADDITION, EL PASO, EL PASO COUNTY, TEXAS (3429 MONTANA AVENUE), PURSUANT TO SECTION 20.64.175, AND THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Laura E. Gonzalez** has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

WHEREAS, the requirements of Section 20.64.175 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an S-D (Special Development) District, requiring thirteen (13) off-street parking spaces to serve a proposed new restaurant;

Lots 15 & 16, Block 108, EAST EL PASO ADDITION, El Paso, El Paso County, Texas, municipally known and numbered as 3429 Montana Avenue; and

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be partially satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 61%, so that the property, required to provide thirteen (13) off-street parking spaces, can partially satisfy the parking requirements by providing five (5) off-street parking spaces;

4. That this Special Permit is issued subject to the development standards in the S-D (Special Development) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes;

5. That if at any time the off-street parking space described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON03-00085**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this 6th day of April, 2004.

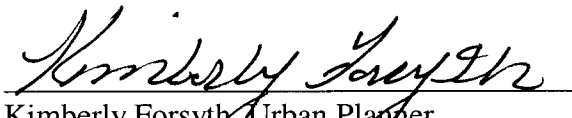
THE CITY OF EL PASO

Joe Wardy
Mayor

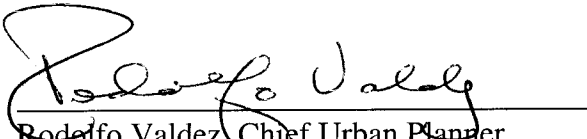
ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:



Kimberly Forsyth, Urban Planner
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

AGREEMENT

Laura E. Gonzalez, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the S-D (Special Development) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 6th day of February, 2004.

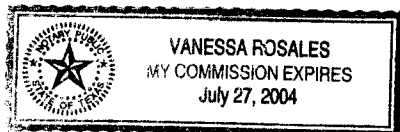
By: [Signature]
Name: LAURA GONZALEZ

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 6th day of February, 2004, by Laura E. Gonzalez, as Applicant.

My Commission Expires: 7/27/04



[Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name:
Vanessa Rosales

DETAILED SITE DEVELOPMENT
PLAN APPROVED BY CITY COUNCIL

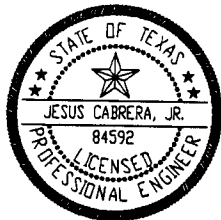
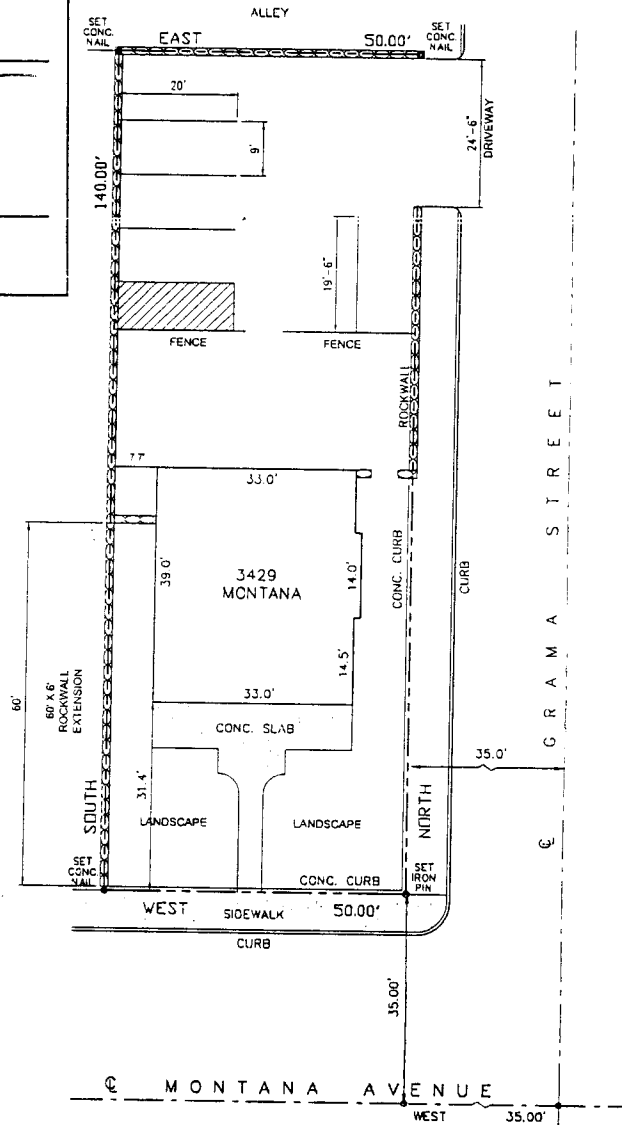
DATE

APPLICANT

EXECUTIVE SECRETARY
CITY PLAN COMMISSION

MAYOR

Exhibit "A"



3429 MONTANA AVENUE
LOTS 15 AND 16, BLOCK 108, EAST EL PASO
ADDITION, CITY OF EL PASO,
EL PASO COUNTY, TEXAS
Date: 12-03-03
Scale: 1"=20'

ZON 3-00085